

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

- 1 (original): A method for determining existence of a disk in an
5 optical disk drive, the method comprising:
 focusing a laser beam of a first wavelength, and
 determining whether a disk is inserted into an optical
 disk drive according to generation of a first
 predetermined signal; and
10 focusing a laser beam of a second wavelength, and
 determining whether a disk is inserted into an optical
 disk drive according to generation of a second
 predetermined signal.
- 15 2 (original): The method of claim 1 wherein the laser beam of the
 first wavelength and the laser beam of the second wavelength
 are emitted from an optical pick-up head.
- 20 3 (original): The method of claim 2 wherein the step of focusing
 comprises moving the pick-up head for changing a focal point,
 and the method further comprises receiving a focus error signal
 from an photo detector.
- 25 4 (original): The method of claim 1 wherein the first predetermined
 signal is an S-curve or an RF level signal.
- 5 5 (original): The method of claim 1 wherein the second

predetermined signal is an S-curve or an RF level signal.

6 (currently amended): A method for determining existence of a disk in an optical disk drive, the method comprising:

5 utilizing a laser beam of a first wavelength to execute focusing and detecting generation of a first predetermined signal;
utilizing a laser beam of a second wavelength to execute focusing detecting generation of a second predetermined signal;
and

10 determining whether a disk is inserted into an optical disk drive according to generation of at least one of the first predetermined signal and the second predetermined signal.

7 (currently amended): The method of ~~claim 7~~ claim 6 wherein the
15 laser beam of the first wavelength and the laser beam of the second wavelength are emitted from an optical pick-up head.

8 (original): The method of claim 7 wherein the action of focusing comprises moving the pick-up head for changing a focal point,
20 and the method further comprises receiving a focus error signal from an photo detector.

9 (currently amended): The method of ~~claim 7~~ claim 6 wherein the first predetermined signal is an S-curve or an RF level signal.

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10 (currently amended): The method of ~~claim 7~~ claim 6 wherein the second predetermined signal is an S-curve or an RF level signal.
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11 (new): The method of claim 1 wherein the first wavelength and
the second wavelength are not equal.

5 12 (new): The method of claim 6 wherein the first wavelength and
the second wavelength are not equal.